

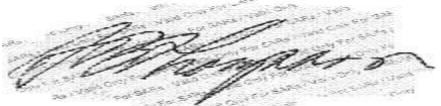


KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 20-101	PAGE NUMBER 1 of 5
		SUBJECT: SEGREGATION: Minimum Standards for the Operation of Segregation Units	
Approved By:  Secretary of Corrections		Original Date Issued: 02-15-02	
		Current Amendment Effective: 10-03-08	
		Replaces Amendment Issued: 07-21-03	
Reissued By:  Policy & Procedure Coordinator		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature. Date Reissued: 11-09-10	

POLICY

In order to ensure the humane and effective treatment of special management inmates, minimum standards are established with regard to the operation and maintenance of segregation units. Additionally, minimum standards shall apply to the manner in which inmates are fed, clothed, housed, and dealt with on a daily basis. The provisions of this IMPP shall apply to disciplinary and administrative segregation alike.

DEFINITIONS

None.

PROCEDURES

I. Diet and General Housing Considerations

- A. Each inmate shall receive daily at least 2,800 calories of food from the normal diet of inmates not in segregation.
 1. The noon meal provided to inmates in segregation may consist of the approved sack lunch as established in the department-wide standardized menu, and approved by the licensed dietician to meet the daily caloric requirements.
- B. Each cell in which an inmate is confined in segregation shall, whenever possible, be at least as large as other cells in the institution or facility and shall be adequately lighted during the daylight hours.
 1. All of the necessities of civilized existence, including toilet, bedding and water for drinking and washing shall be provided.
 - a. If any of these necessities are removed temporarily, that removal shall be only to prevent suicide or self-destructive acts, or damage to the cell and its equipment, or to other persons.
 2. Each inmate shall have the opportunity to shave and shower at least three times per week unless this would present a clear security hazard as determined by the warden_or designee.

3. The procedure for issue and exchange of clothing, bedding, and linen, and for barbering and hair care services shall be as frequent and of the same quality as for the general population unless an exception is found necessary by the senior officer on duty.
 - a. Such an exception shall be recorded in the log and justified in writing.
- C. All inmates in segregation shall be provided clothing that is not degrading, and access to basic personal items for use in their cells, unless there is imminent danger that an inmate or any other inmate will destroy an item or induce self-injury.
 1. Inmates confined in segregation shall not be deprived of normal body clothing except for the inmate's own protection.
 - a. If such a deprivation is temporarily necessary, the inmate shall be provided with body clothing and bedding adequate to protect the inmate's health, depending on air temperature and other conditions in the cell.

II. Availability of Legal Counsel, Placement, and Access to Medical Care

- A. If an inmate is not confined in segregation for punishment, but is confined under conditions of emergency or for the inmate's own protection, or that of personnel or other inmates, the confinement shall not be continued for longer than is necessary for the emergency.
- B. An inmate's right to communicate with an attorney or a person or agency designated to receive complaints shall not be interfered with.
- C. An inmate shall not be placed in segregation without the approval of the highest ranking officer on duty at the time unless there is a serious emergency or major disturbance.
 1. In such a case, the procedure in IMPP 20-105 as it relates to certain placements within Administrative Segregation shall be followed.
- D. Unless access to medical services is provided on an as needed basis, no inmate shall be kept in segregation, for any reason, for longer than 24 hours without being examined by a medical doctor, or other medical personnel under the doctor's supervision.
 1. The inmate shall be observed once a week thereafter and examined if deemed necessary.
 2. Any medication prescribed for an inmate shall be provided for that inmate.

III. Mail, Visitation, Access to Telephones, Availability of Legal & Reading Materials, and Opportunities to Exercise

- A. Each inmate in segregation shall be provided with the same opportunities for writing and receiving letters as provided to the general population.
- B. Visitation shall be allowed on a restricted basis unless there are substantial reasons for withholding the privilege.

1. If possible, the inmate shall be given an opportunity to notify visitors of any restrictions before the visitors arrive.
- C. Telephone privileges shall be granted on a restricted basis.
 1. Restrictions placed on disciplinary segregation inmates may differ from those placed on administrative segregation inmates.
- D. Each segregation inmate shall have access to legal materials.
- E. Each segregation inmate shall have access to reading materials.
- F. Each inmate confined in disciplinary or administrative segregation shall be allowed to exercise outside the cell, if desired, for at least one hour per day and at least five days per week unless security, health, or safety considerations dictate otherwise.
 1. Except as provided herein, weather permitting, segregation inmates shall be permitted to exercise outdoors, for four of the five days, to the extent that facilities and staff are available to maintain basic security for those inmates.
 - a. Exercise on the indoor day shall be provided in an area outside the inmate's own cell.
 - b. If an inmate will be held in segregation status at a facility for a period of five [5] days or less, outdoor exercise shall not be required.
 2. When limitations on normal exercise are necessary, alternatives shall be explored to provide adequate exercise to maintain health.
 3. An inmate may be required to remain in the cell and be allowed, at the inmate's own discretion, to exercise in the cell if:
 - a. A substantial security risk for the inmate is documented; and,
 - b. A set of exercises is approved for the inmate, by a doctor or physical fitness professional, as being adequate for the maintenance of health and capable of being accomplished within the physical limitations imposed by the cell interior.
 - c. If while in segregation status an inmate has threatened or battered staff or has possessed dangerous contraband, the inmate's out of cell exercise may be suspended for up to thirty days provided that a set of exercises pursuant to subsection III.F.3.b. has been identified.

IV. Access to Programs & Services and Staff Visits to Segregation Units

- A. Administrative segregation inmates shall have reasonable access to programs and services including, but not limited to, educational services, commissary services, library services, social services, counseling services and religious guidance.
- B. The unit manager of a segregation unit or the unit manager's designee shall make daily rounds in the segregation unit. In the absence of the unit manager and/or his/her designee, the shift supervisor or the supervisor's designee shall make these daily rounds.
- C. In addition to the daily rounds specified in IV.B. above, a qualified health care professional shall visit the segregation unit at least once per day, unless more frequent medical attention is needed. For purposes here, routine visits by qualified health care staff to

administer or distribute medication shall minimally satisfy this requirement.

- D. Segregation inmates shall receive visits from members of the program staff on reasonable request.
- E. A shift captain or designee shall visit the unit during each shift.
- F. Log entries, as set out within the provisions of procedural section V. of this IMPP, shall document all visits to a segregation unit.

V. Documentation of Service Delivery and Visits to Segregation Units

- A. A permanent log in a bound book shall be maintained at or near the segregation cells, and employees in charge of these cells shall be responsible for recording all admissions, releases, indicators of health and medical condition, clothing and bedding restrictions, food intake, visits to cells and other events, including those of a routine nature.
- B. A weekly report shall be made to the Secretary of Corrections giving the following data for segregated inmates:
 - 1. Name of inmate;
 - 2. Race or ethnic origin;
 - 3. Type of, and reason for, segregation;
 - 4. Length of time in segregation; and
 - 5. Health and medical condition.
- C. If the inmate is deprived of any usually authorized item or activity, a report of this action shall be made for the inmate's file and forwarded to the warden or the deputy in charge of security.
 - 1. This report shall be in addition to the notation in the log required by procedure V.A. of this IMPP.

VI. Disciplinary Procedures

- A. All applicable provisions and requirements of the disciplinary procedure set forth within K.A.R. 44-13-101 et. seq. apply to inmates housed in a segregation unit.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities who are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to either employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

<u>Name/Type of Report</u>	<u>By Whom/To Whom</u>	<u>Due</u>
Weekly Segregation Report	Warden/Secretary of Corrections	Weekly

REFERENCES

KSA 75-5210, 75-5251, 75-7552

ACI 3-4238, 3-4246, 3-4248, 3-4249, 3-4251, 3-4253, 3-4254, 3-4255, 3-4256, 3-4257, 3-4258, 3-4259,
3-4260, 3-4261, 3-4237

ATTACHMENTS

None